

## **REMARKS**

### **Interview Summary**

Applicant's attorney, Michael Colby, wishes to thank Examiner Nicholas Augustine for a telephone interview on December 17<sup>th</sup>, 2007.

5           During the interview, Applicant's attorney and the Examiner discussed differences between the Blaze and Mann references and Applicant's disclosure. The Examiner agreed with Applicant that neither the Blaze reference nor the Mann reference taught the display of audio controls (such as play, pause, stop, etc.) in the taskbar. Rather, the Blaze reference minimizes the media player in the taskbar as a small *icon*. A  
10       user can subsequently click on the icon, *but no controls whatsoever are displayed in the taskbar*. Similarly, the Mann reference teaches a "sidebar" and does not teach that a play, pause, or stop control is displayed.

          The examiner indicated that amending the independent claims to clarify that controls, such as play, pause, or stop, are displayed in the task bar would make the claims  
15       allowable over the Blaze reference. Accordingly, Applicant has amended the independent claims in a manner that more clearly shows that controls such as play, pause, or stop are displayed in the taskbar.

          Applicant also notes that by displaying the controls in the taskbar, a user may be able to click once on a control (such as "play") that is displayed on the taskbar in order to  
20       implement that control. This element is also not taught by Blaze.

          Applicant's attorney understood the Examiner to consider the claims as amended allowable over the art of record. Applicant respectfully requests a phone call if the Examiner thinks there are any further issues that might delay issuance, and Applicant greatly appreciates Examiner Augustine's willingness to assist Applicant in advancing  
25       prosecution.

### **Rejections under § 102**

          Claims 1-9, 12-18, 20, 21, 23-24, 36-37, 41-46, and 50-56 stand rejected under  
35       35 U.S.C. § 102(e) as being anticipated by Blaze Software (Blaze Tray Audio) ("Blaze")  
30       found at:

<http://web.archive.org/web/20020202140332/www.trayaudio.com/index.html>

Claims 1, 25, 41, and 55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2004/0212640 to Mann et al. ("Mann").

### **Rejections under § 103**

5            Claims 10, 11, 19, 22, 28, 38-40, and 47-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blaze in view of GustoSoft ("GustoSoft") found at:

<http://web.archive.org/web/20021130001235/http://gustosoft.com/>

             Claims 14 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable  
10        over U.S. Publication No. 2004/0212640 to Mann et al. ("Mann").

### **Response to 102 and 103 Rejections**

             As noted in the Interview Summary above, Applicant understands the Examiner to consider all of the pending claims allowable over the art of record. If the Examiner  
15        changes his mind or there are any other issues that may delay allowance, Applicant respectfully requests a telephone call to address the issues.

### **Conclusion**

             All of the claims are in condition for allowance. Accordingly, Applicant requests  
20        that the Office issue a Notice of Allowability. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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